OFFICIAL MINUTES OF THE WEBB COUNTY COMMISSIONERS COURT MEETING OF MAY 14, 2001 LAREDO, TEXAS

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held on May 14, 2001 at the regular meeting place with the following members present to wit:

Mercurio Martinez, Jr.

Jerry Vasquez

Judith Gutierrez

Felix Velasquez

Miguel Urdiales

County Judge

Commissioner Prct.#1

Commissioner Prct.#2

Commissioner Prct.#3

Commissioner Prct.#4

Thus constituting a quorum, the court proceeded to act upon the agenda notice as posted in the meeting notice of the 10th of May 2001. Present also were Selina G. Reyes, Deputy County Clerk, representing Mr. Henry Flores, Ex-Officio Clerk of the Commissioners Court, various officers and others interested in the business of the court.

01-05-176

1. Call to Order – Judge Martinez Invocation – Mr. William N. Hall, Jr. Pledge of Allegiance – Said by all

01-05-177

2. Approval of Minutes –

Motion to accept the minutes as submitted with the following corrections:

Page 4. – Change amount of Resolution to \$ 782,000 instead of \$ 1.5 million.

Page 6. – Insert the word "To" on the transfer of \$ 1,000.00

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

Judge Martinez recognized several members of the community on behalf of the Laredo Chamber of Commerce Small Business Committee through the Laredo Development Foundation.

They were Mr. Eloy Rodriguez, Certified Public Accountant as Accountant Advocate of the year for the SPA San Antonio District Office.

Ms. Sandra Garcia as Small Business Person of the year.

Mr. Chuck Owen, as Small Business Journalist of the year.

On behalf of the Court, Commissioner Jerry Vasquez presented the Commissioners "Reaching for the Stars award" to United South High School Boys and Girls Basketball Teams who have won the District 5A Championship.

Motion to accept a Proclamation for "National Historic Preservation Week"

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

Motion to move up item $01-05-181 \ 6. - k. (1.)$:

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

Motion to approve the proposal from The Laredo Heritage Foundation for the Villa Antigua Project, including but not limited to acceptance and approval of the project.

01-05-178

3. Communications –

Mr. Edmundo Molina, RN representing the American Heart Association came before the court to introduce Dr. Dennis Cantu.

Dr. Cantu gave a brief presentation on a Public Access Defibrillation Program promoting automated external defibrillators.

Motion to move up item 01-05-181 6. - k.:

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

Motion to accept a Resolution requiring the State to more strictly enforce filing of Manifestos pertaining to the exportation of tangible goods and exemption from taxes in the State of Texas.

** Add additional language.

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

01-05-178

3. Communications -

City of Laredo EMS/Fire calls for the month of April 2000.

The court asked Mr. Carlos Villarreal, Executive Administrator and the County Attorney to look into a recent billing from the City Of Laredo for providing services during a recent rabies outbreak.

Motion to move up item 01-05-181 6. - a:

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

At this time Mr. Jerry Mejia, CPA of Baum, Mejia & Co., P.L.L.C. made a presentation of the audited General Purpose Financial Statements of Webb County for the fiscal year ended September 30, 2000.

01-05-179

4. Bills, Payroll and Monthly Reports:

Mr. William N. Hall, Jr. informed the court that he had submitted the payroll, Quarterly Investment Report and the sales tax report for their review.

Motion to accept to pay the list of bills as per the printout and the payroll as follows:

5-11 } \$ 1,599,875.94 5-25 } \$ 1,600,000.00

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 4 \ Commissioner Vasquez stepped out during this vote

Against: 0 Abstain: 0

01-05-181

6. – b.,c.,d. & e.

Motion to fill slot # 571 (PBX Operator) at \$ 7.24 an hour in Department 2061 effective 5-18-01 and;

Fill slot # 029 (General Repairs Person) at \$ 7.34 an hour effective 5-18-01 and;

Fill slot # 607 (County Extension agent 4H & Youth Development) at an annual salary of \$ 9,046.00 effective 6-1-01 and;

Approve refunds for:

? Wells Fargo Home Mortgage, Inc.

Reason: Payment made in error

Total refund: \$ 922.07

? Village Heights Ltd.

Reason: Exempt property as of 1-25-00

Total refund: \$ 614.70

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

6. - f. (1.-3.)

Motion to award Bid # 2001-59 Lease of 1,290 sq. ft. portable building for the Head Start Program and;

Approve a start-up Head Start expansion application for fiscal year 2001 to 2002 (9-1-2001 to 8-31-2002) to serve an additional 64 children in South Laredo employment for 11 persons for a total amount of \$518,834 (Federal \$415,067 and non-federal \$103,767 – Grant Monies – No County Match) and;

Approve a Head Start Refunding application for Fiscal Year 2001-2002 (9-1-2001 to 9-31-2001) for the continuation of Head Start Services for 1,086 low income children in 17 Head Start Centers and employment for 245 persons. Total amount of grant is \$ 8,490,954 (Federal \$ 6,792,763 and Non-Federal \$ 1,698,191 – Grant Monies – No County Match.

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

For: 5 Against: 0 Abstain: 0

6. - g., h., i.

Motion to approve line-item transfers:

From: Acct. 001-1100-6205 (mat./supplies) \$ 2,000.00 6204 (fuel/lube) \$ 2,000.00 6403 (repairs/mat.equip.) \$ 1,000.00 Total \$ 7,000.00

To: Acct. 001-1100-6010 (books/sub.) \$ 4,000.00 6007 (dues/membership) \$ 3,000.00 Total \$ 7,000.00

and:

From: Acct. 801-3004-6048 (license/permits) \$ 4,500.00 To: Acct. 801-3004-6048 (license/permits) \$ 4,500.00 6201 (utilities) \$ 5,000.00 6407 (shop maintenance) \$ 500.00

Total \$ 10,000.00

and;

From: Acct. 010-7001-5601 (adm. travel) \$ 100.00 To: Acct. 010-7001-6005 (postage) \$ 100.00

From: Acct. 010-7002-6205 (mat./supplies) \$ 1,000.00 6404 (repair/maint.) \$ 4,000.00 To: Acct. 010-7002-6502 (janitorial supplies) \$ 1,000.00 6201 (utilities) \$ 4,000.00

Total \$ 5,000.00

and;

Fill the following slots: Slot# 676 (Dump Truck Driver) @ \$ 8.85 an hour Slot #681 (Maintenance Aide) @ \$ 7.31 an hour Slot# 667 (Water Truck Driver) @ \$ 8.85 an hour

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

6. - j.

Motion to issue/ratify "Certifications regarding compliance with Plat requirements and the connection of utilities" to authorize utility connections to the following properties:

Connection(s) qualifying under Sec. 232.029 (i), TLGC

Lot 42, Tanquesitos South acres I Subdivision (electricity –2 dwelling) Lot 93, Tanquesitos South Acres I Subdivision (electricity – 1 dwelling)

and authorize the Purchasing Agent to solicit bids for equipment in the Planning Department related to GIS Mapping and 911 addressing activities as follows (Funding from GIS Mapping and 911 addressing acct. 606-8001-6022, 7409 and 8405):

- a. File-server, NT platform with associated licenses networking hardware;
- b. GIS Workstation;
- c. Color copier with commercial printing capabilities of up to 11x17 sheets;
- d. Color laser printer with capabilities of up to 11x17 sheets;
- e. Laptop/notebook with mapping capabilities (for field 911 addressing and GPS mapping); and
- f. Portable digital projector with high resolution for mapping and images.

Moved: Commissioner Gutierrez Second: Commissioner Velasquez

6. – l.

Motion approve a line-item transfer:

From: acct# 001-1044-5601 (adm. travel) \$ 3,293.00 To: acct.# 001-1044-6601 (office supplies) \$ 1,646.00 6205 (mat./supplies) \$ 1,646.00

Total \$ 3,293.00

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

For: 5 Against: 0 Abstain: 0

6. - n.

Motion to authorize the submission of a grant application to the Office of the Attorney General for "access and visitation program for non-custodial parents" to become effective May 20, 2001 to April 30, 2002 for a total amount of \$50,000.00 with a county match (The grant will focus on parental education, visitation enforcement and supervised visitation).

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

For: 5 Against: 0 Abstain: 0

01-05-182

7. - a.

Motion to approve a line item transfer:

From: acct. 428-4104-7307-2 (contract support) \$ 2,000.00 To: acct. 428-4104-6001 (office supplies) \$ 2,000.00

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

7. - b.

Motion to accept the recommendations from the Webb County Housing Rehabilitation selection committee on the following homes selected for rehabilitation through the HUD-Housing Colonia Initiatives (HCI) Grant program:

Mirando City

Bruni, Texas

Raul Cardenas Pedro Lira Mariano de la Cruz Alfredo Martinez Felipe Rivera Rogelio Rodriguez

Mariano de la Cruz Alfredo Martinez Guillermo Ramirez Jesus Villanueva

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

7. - c.

Motion to authorize the Purchasing Agent to solicit construction bids for Housing Colonia Initiatives (HCI) Grant Program (Contingent upon approval of Webb County Housing Rehabilitation Selection Committee recommendations)

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

7. - d.

Motion to approve modifications to the Webb County Rehabilitation Guidelines as approved by HUD and as recommended by the Webb County Housing Rehabilitation Selection Committee and;

Authorize the Purchasing Agent to solicit proposals for architectural services for the purpose of rehabilitating 30 homes and indoor plumbing improvements to 70 homes located in the colonias on highway 359 through the U.S. Department of Housing Neighborhood Initiatives Grant Program and authorize the County Judge to execute all relevant documents.

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

7. - f.

Motion to approve the submission of a Resolution for grant application to the U.S. Department of Housing and Urban Development (HUD) for "The Youth-Build Program" grant amount not to exceed \$ 400,000 and county in-kind amount not to exceed \$ 100,000 to assist High School Drop-outs to obtain their G.E.D., acquire construction training and receive subsequent job placements and authorize the County Judge to execute all relevant documents.

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

7. - g.

Motion to approve the submission of a Resolution for a pre-application to the U.S. Department of Agriculture (U.S.D.A.) for a "Community Facilities Application" grant amount not to exceed \$ 500,000 and county in-kind not to exceed \$ 125,000 for the construction of a Webb County Self-Help Center to serve the following colonias and authorizing the County Judge to execute relevant documents:

Los altos, Tanquesitos I & II, San Carlos, San Enrique, Ranchitos 359 East, Laredo Ranchettes, D-5 Acres and Pueblo Nuevo.

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

01-05-183

8. - a.

Motion to purchase ceiling material, metal grid, connecting wire and insulation required for Justice of the Peace Pct. 4, building improvements project from Laredo Steel in the amount of \$ 5,674.55 (acct. 623-1044-8801).

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

8. - b.

Motion to auction the following equipment:

2 fire trucks

Caterpiller engine

Tank/w flat bed

Emulsion tank

Personal Computers

Monitors

Printers

Terminals

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

For: 5 Against: 0 Abstain: 0

8.-c.

Motion to purchase the following equipment to support the computer network for the Sheriff Administration building (Norwest Building) from CDW-G in the amount of \$ 15,003.64 (Acct. 608-0501-8404):

- 2 594E Device Twinax Controller w/10/100 Ethernet Card
- 3 24 Port Cisco 3524 Ethernet Switch
- 2 Cisco 1000 Base SX GBIC Module

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

8. - d.

Motion to accept the recommendation of the Purchasing Agent on the following bid and proposal:

Bid 2001-60 Two – 2001 Motorcycles

Recommendation: Corpus Christi Harley-Davidson, Inc.

Q-2001-01 Professional Engineering Services for Webb County State Highway 59 Colonia areas facility plan project

Recommendation: Turner Collie & Braden Inc.

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

8. - e.

Motion to purchase playground equipment for the Head Start Program from "Sports and Recreational Products" in the amount of \$27,250.00.

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

For: 5 Against: 0 Abstain: 0

8. - f.,g.,h.,i.

Motion to approve a Change Order # 1 for the Webb County Administration and Parking garage from Leyendecker Construction in the amount of \$ 198,940.00 for the chiller system and soil remediation at the new Webb County administration building (this was part of the original capital outlay budget for the building) and;

Solicit bids for the rewiring of the Justice Center as requested by the M.I.S. Department and;

Obtain the services of Pro Tec Protection Inc., to install a six inch water line To connect the sprinkler system (as required by Laredo water Department/Laredo Fire Department) for the new Sheriff's Administration Building and;

Solicit bids for educational products for the Head Start Program.

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

For: 5 Against: 0 Abstain: 0

01-05-184

9. – a.

Motion to approve a line-item transfer:

From: acct. 001-1101-6014 (equip rental) \$ 850.00 To: acct. 001-1101-6403 (veh.maint) \$ 850.00

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

9. - b.

Motion to enter into a lease with Roberto Gonzalez and Carlos de Jesus Kazen for premises located at 3501 Corpus Christi Street Laredo, Texas for use at a monthly rental of \$ 1,250 for the Webb County Head Start Program for a period of three years beginning June 1, 2001, and authorizing the County Judge to sign all relevant documents.

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

9. - c.

Motion to enter into a lease with the City of Laredo for The Jesus Garcia, Head Start Center, located at 2518 Cedar, for a two year period beginning June 1, 2001, for a monthly rental of \$ 575.00 and authorizing the County Judge to sign all documents.

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

9. – d.

Motion to enter into a lease with the City of Laredo for the Tatangelo Head Start Center, located at 2400 South Jarvis, for a two year period beginning June 1, 2001, for a monthly rental of \$ 575.00 and authorizing the County Judge to sign all relevant documents.

Moved: Commissioner Urdiales Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

9. – e.

Motion to enter into a lease with the City of Laredo for the Villa Alegre Head Start Center, located at Baltimore and Eagle Pass, for a two year period beginning June 1, 2001, for a monthly rental of \$ 675.00 and authorizing the County Judge to sign all relevant documents.

Moved: Commissioner Vasquez Second: Commissioner Urdiales

9. - f.

Motion to enter into a contract with the Texas Transportation Institute for the acquisition and operation of three 15 passenger vans for use by Webb County in supporting the activities of the Community Resource Centers established by Texas A & M for residents in the Colonias Neighborhoods of El Cenizo, Rio Bravo, and the Quad Cities areas in the amount of \$75,000.00 (payable to Webb County on a cost reimbursable basis).

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

9. - g.

Motion to enter into a Lease Purchase Agreement with Leasing 2, Inc., for the Lease Purchase of two refuse automated side loader trucks awarded to Power Equipment International by the Commissioners Court on March 26, 2001, for a total cost of \$ 259,659.24 payable in 12 quarterly payments of \$ 21, 638.27 and authorizing the County Judge to execute all relevant documents.

Moved: Commissioner Vasquez Second: Commissioner Urdiales

9. - h.

Motion to table this item:

Action to purchase 501 McAfee Computer Software Licenses for anti-virus Software desktops, file servers, exchange or note servers and the Gateway Proxy nt server and unlimited telephone technical support from Mcafee or an authorized reseller for \$ 10,070.10 for a two year period beginning May 1, 2001, payable in monthly installments of \$ 419.59 and authorize the County Judge to execute all relevant documents.

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

For: 5 Against: 0 Abstain: 0

9. - i.

Motion to enter into an Engineering Contract with Sherfey Engineering Company, L.L.C., to design and develop plans and specifications for 12,100 linear feet of unpaved county right-of-way and to prepare a preliminary storm water drainage study for 12,100 linear feet of unpaved right-of-way in Mirando City at a cost of \$ 63,600 and authorize the County Judge execute all relevant documents.

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

9. - k.

Motion to enter into a contract with Texas A & M International University to provide up to 30 workshops in Entrepreneurship education (Module 1) and management of personal finances (module 2) training at a cost not to exceed \$22,500 (\$750 per module) beginning May 15, 2001 and ending September 20, 2001 and authorize the County Judge to execute all relevant documents.

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

9. - 1.

Motion to enter into a contract with Margaret Martin, Inc., to provide up to two leadership skills seminar/workshops for Welfare to Work program and job retention program participants as referred by the Webb County Welfare to Work Department at a cost not to exceed \$ 15,206 beginning May 15, 2001 and ending September 30, 2001 an authorizing the County Judge to execute all relevant documents.

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

9. - m.

Motion to enter into a contract with Texas A & M International University to provide up to eight seminar/workshops (anger management, assertiveness training and interview preparation, parenting skills, problem solving skills, goal setting skills) for Welfare to Work program and job retention program participants as referred by the Webb County Welfare to Work department at a cost not to exceed \$ 10,000 beginning May 15, 2001 and ending September 30, 2001 and authorizing the County Judge to execute all relevant documents.

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

9. - n.

Motion to enter into a Cooperative agreement number ATX8675309 with the U.S. Department of Treasury, Bureau of Alcohol Tobacco and Firearms, awarding a grant of \$59,495 (for the first two quarters of fiscal year 2001) to the Webb County Sheriff's Department for the operation of the gang resistance education and training program (g.r.e.a.t.) and authorize the County Judge to execute all relevant documents (Sheriff Department).

Moved: Commissioner Vasquez Second: Commissioner Gutierrez

9. - 0.

Motion to enter into a Federal Equitable Sharing Agreement between the Federal Government (U.S. Department of Treasury), Webb County Sheriff's Department and Webb County authorizing he Sheriff's Department to Participate in the Federal Equitable Sharing program and authorizing the County Judge to sign all relevant documents.

Moved: Commissioner Vasquez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

12:30 p.m.

Motion to go into Executive Session for the following items:

- 6. i. (3.) } Action regarding the closure of the Bruni landfill in Bruni, Texas.
- 9. p. } Action regarding claim of Jansen & Co. against Webb County in connection with insurance loss and adjustment services rendered in connection with the Webb County Detention Center loss of December 20, 1993.
- 9. q. } Action regarding claim of Armando Trevino in connection with issuance and service of Writ of Attachment against him on or about January 26, 2001.
- 9. r. } Action regarding Equal Employment Opportunity Commission Charge #360A10441 filed by Ricardo Molina against Webb County Community Action Agency.

9. - j. }

Action to enter an Order of the court determining the public necessity and that the public welfare and convenience will be serves by, the acquisition of blocks 81 and 90, Bruni Subdivision, and Webb County's intention to acquire said real property as part of the Bruni Community Center/Library Project (TCDP Contract # 720889), and to further establish and approve the amount determined to be just compensation for acquisition of said real property for acquisition at the full amount determined and established to be just compensation and to designate the Director of Economic Development Department to negotiate with said owner on behalf of the county and that the County Judge is authorized to execute all documents necessary to acquire said real property on behalf of the county and authorizing the appropriation of funding to effectuate the purchase of said property.

9. – s. } Action regarding Texas Department of Licensing and Regulation Compliant No. EAB2001001594C regarding Casa Blanca Golf Course Clubhouse.

1:10 P.M.

The court returned to regular session and Judge Martinez stated that no action had been taken in Executive Session.

6. - i. (3.)

Motion to acknowledge the closing of the Bruni Landfill in Bruni, Texas.

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

9. - j.

Motion to declare public necessity to acquire blocks 81 and 90, Bruni Subdivision for the Library Community Project and that the court establish the value of the property at \$28,500.00 (both blks.) and instruct Mr. Juan Vargas, Economic Director to initiate along with the County Attorney office the negotiations within the parameters discussed in Executive Session.

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

9. – p.

Motion to authorize the County Attorney to obtain additional information to develop this case more fully and bring it back to the court.

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

9. – q.

Motion to authorize the County Attorney to respond to Mr. Trevino's attorney as discussed in Executive Session.

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

9. – r.

No action.

9. - s.

Motion to accept settlement proposal as per correspondence dated April 23, 2001, from the Texas Department of Licensing and Regulation regarding the Casa Blanca Golf Course. The County will agree to pay a filing fee with them, along plans and proposals to address issues raised with them.

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

For: 5 Against: 0 Abstain: 0

1:19 p.m.

Motion to go into Executive Session for the following item:

6. – m. } Action regarding Cause # 2001-CVE-000155-D4; Angelica Villarreal individually and as next friend of Saul Villarreal, a minor plaintiff, vs. Concepcion Vasquez and the County of Webb a/k/a Webb County.

Moved: Commissioner Gutierrez Second: Commissioner Vasquez

For: 5 Against: 0 Abstain: 0

1:22 p.m.

The court returned to regular session and Judge Martinez stated that no action had been taken in Executive Session.

Motion to authorize outside consul to settle this matter as discussed in Executive Session.

Moved: Commissioner Gutierrez Second: Commissioner Urdiales

Motion to adjourn the meeting

Moved: Commissioner Urdiales Second: Commissioner Vasquez